

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DOMINIC MOODY,

Plaintiff,

v.

STEVEN PAUL,

Defendant.

No. 1:23-cv-01541-KES-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Docs. 2, 12)

Plaintiff Dominic Moody is a pro se prisoner in this civil rights action. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 31, 2023, plaintiff filed a motion to proceed in forma pauperis. Doc. 2. On November 3, 2023, the assigned magistrate judge issued an order requiring plaintiff to show cause why the case should not be dismissed for filing a false IFP affidavit. Doc. 6. Plaintiff filed a declaration in response to the November 3, 2023 order on November 13, 2023. Doc. 7. On December 15, 2023, the assigned magistrate judge entered findings and recommendations, recommending that plaintiff's in forma pauperis (IFP) application be denied for filing a false IFP affidavit. Doc. 12. The findings and recommendations were served on plaintiff and contained notice that any objections thereto must be filed within fourteen days. Plaintiff filed no objections

1 and the time to do so has expired.

2 In accordance with 28 U.S.C. § 636(b)(1), this court has conducted a de novo review of
3 the case. Having carefully reviewed the file, the court finds the findings and recommendations to
4 be supported by the record and proper analysis.

5 Accordingly, IT IS HEREBY ORDERED:

- 6 1. The findings and recommendations issued on December 15, 2023 (Doc. 12) are
7 adopted in full;
- 8 2. Plaintiff's IFP application (Doc. 2) is denied; and
- 9 3. Plaintiff is ordered to pay the \$405 filing fee in full within thirty days of the entry
10 of this order should he wish to proceed in this case, and if he fails to do so, he is
11 advised that this case will be dismissed.

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14 IT IS SO ORDERED.

15 Dated: July 1, 2024



UNITED STATES DISTRICT JUDGE

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